

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM-113.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(c) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished. Issued in Renton, Washington, on May 12, 1995.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-12209 Filed 5-17-95; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 950

#### Wyoming Abandoned Mine Land Reclamation (AMLR) Plan

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** OSM is announcing receipt of a proposed amendment to the Wyoming AMLR plan (hereinafter, the "Wyoming plan") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of the addition of new provisions to the Wyoming plan concerning noncoal lien authority and contractor eligibility. The amendment is intended to incorporate the additional flexibility afforded by SMCRA, as amended by the Omnibus Budget Reconciliation Act of 1990, and to improve operational efficiency.

**DATES:** Written comments must be received by 4:00 p.m., m.d.t., June 19, 1995. If requested, a public hearing on the proposed amendment will be held on June 12, 1995. Requests to present oral testimony at the hearing must be received by 4:00 p.m., m.d.t., on June 2, 1995.

**ADDRESSES:** Written comments should be mailed or hand delivered to Guy Padgett at the address listed below.

Copies of the Wyoming plan, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Casper Field Office.

Guy Padgett, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, Room 2128, Casper, Wyoming 82601-1918.  
Bill Garland, Department of Environmental Quality, Abandoned Mine Land Division, Herschler Building, Third Floor West, 122 West 25th Street, Cheyenne, Wyoming 82002, Telephone: (307) 777-6145.

**FOR FURTHER INFORMATION CONTACT:** Guy Padgett, Telephone: (307) 261-5776.

#### SUPPLEMENTARY INFORMATION:

##### I. Background on the Wyoming AMLR Plan

On February 14, 1983, the Secretary of the Interior approved the Wyoming plan. Information pertaining to the general background, revisions, and amendments to the initial plan submission, as well as the Secretary's findings, the disposition of comments, and the approval of the Wyoming plan can be found in the February 14, 1983, **Federal Register** (48 FR 6536). Subsequent actions concerning Wyoming's plan and plan amendments can be found at 30 CFR 950.30 and 950.35.

##### II. Proposed Amendment

By letter dated April 21, 1995 (administrative record No. WY-AML-018-8), Wyoming submitted a proposed amendment to its AMLR plan pursuant to SMCRA. Wyoming submitted the proposed amendment at its own initiative to allow the implementation of two initiatives established under Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508). Wyoming proposes to revise its AMLR plan at Wyoming Statute (W.S.) 35-11-1206 (a) and (b) to (1) authorize liens against privately-owned land adversely affected by past coal or mineral mining practices, (2) limit the amount of any lien to the cost of reclamation work or to the amount determined by the appraisal to be the increase in the fair market value of the land as a result of the restoration, reclamation, abatement, control or prevention of the adverse

effects of past coal or noncoal mining practices, whichever is less, (3) allow the landowner to petition the district court for the district in which most of the land is located within 60 days of the filing of the lien to determine the increase in the fair market value of the land, and (4) provide that the amount reported to be the increase in the value of the land, but not exceeding the cost of the reclamation work, shall constitute the amount of the lien. Wyoming also proposes that the revisions to W.S. 35-11-1206 (a) and (b) shall take effect on July 1, 1995.

Wyoming proposes to create W.S. 35-11-1209 to (1) prohibit the issuance of contracts under the AMLR program to any construction contractor or professional services contractor if any surface coal mining and reclamation operation owned or controlled by the contractor or any person who owns or controls the contractor has failed to pay its coal reclamation fees or has other types of violations, (2) provide that the term "ownership or controlling interest" means as defined in the Federal regulations at 30 CFR 773.5, and (3) provide that the Wyoming AMLR program will implement the provisions of this section for all new contracts awarded after April 1, 1995.

##### III. Public Comment Procedures

In accordance with the provisions of 30 CFR 884.15(a) and 884.14(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable plan approval criteria of 30 CFR 884.14. If the amendment is deemed adequate, it will become part of the Wyoming plan.

###### 1. Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Casper Field Office will not necessarily be considered in the final rulemaking or included in the administrative record.

###### 2. Public Hearing

Persons wishing to testify at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m., m.d.t., June 2, 1995. The location and time of the hearing will be arranged with those persons requesting the hearing. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER**

**INFORMATION CONTACT.** If no one requests an opportunity to testify at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to testify have been heard. Persons in the audience who have not been scheduled to testify, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to testify and persons present in the audience who wish to testify have been heard.

### 3. Public Meeting

If only one person requests an opportunity to testify at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the administrative record.

## IV. Procedural Determinations

### 1. Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive order 12866 (Regulatory Planning and Review).

### 2. Executive Order 12778

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (Civil Justice Reform) and has determined that this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State AMLR plans and revisions thereof since each such plan is drafted and promulgated by a specific State, not by OSM. Decisions on proposed State AMLR plans and revisions thereof submitted by a State are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231–1243) and the applicable Federal regulations at 30 CFR Parts 884 and 888.

### 3. National Environmental Policy Act

No environmental impact statement is required for this title since agency decisions on proposed State AMLR plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

### 4. Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

### 5. Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements established by SMCRA or previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions in the analyses for the corresponding Federal regulations.

### List of Subjects in 30 CFR Part 950

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 12, 1995.

**John Heider,**

*Acting Regional Director, Western Regional Coordinating Center.*

[FR Doc. 95–12264 Filed 5–17–95; 8:45 am]

BILLING CODE 4310–05–M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

### 32 CFR Part 199

[DoD 6010.8–R]

RIN 0720–AA29

### Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Clarification of the CHAMPUS Definition of Experimental

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Proposed rule.

**SUMMARY:** This rule proposes to clarify the CHAMPUS definition of “experimental” and describes the process that the Office of CHAMPUS follows in determining when an experimental procedure has moved from the status of experimental to the position of nationally accepted medical practice. This clarification is necessary to ensure the CHAMPUS beneficiary and provider population understand the process the Office of CHAMPUS (OCHAMPUS) follows prior to endorsement by CHAMPUS of a new emerging medical technology, drug, or device for which the safety and efficacy have been proven to be comparable or superior to conventional therapies.

**DATES:** Written public comments must be received on or before July 17, 1995.

**ADDRESSES:** Forward comments to the Office of the Civilian Health and Medical Program of the Uniformed Services (OCHAMPUS), Program Development Branch, Aurora, CO 80045–6900.

**FOR FURTHER INFORMATION CONTACT:** Ruth Smith, Program Development Branch, OCHAMPUS, telephone (303) 361–1181.

### SUPPLEMENTARY INFORMATION:

#### A. Discussion of CHAMPUS Policy

Under statutes governing CHAMPUS including 10 U.S.C. 1079, CHAMPUS payments are prohibited for health care services that are “not medically or psychologically necessary.” The purpose of this provision, common in health care payment programs, is to prevent CHAMPUS beneficiaries from being exposed to less than fully developed and tested medical procedures and to avoid the associated risk of unnecessary unproven treatment. CHAMPUS regulations and program policies restrict benefits to those procedures for which the safety and efficacy have been proven to be comparable or superior to conventional therapies. In general, the CHAMPUS regulations and program policies exclude cost-sharing of procedures which are experimental or investigational. The evolution of any medical technology or procedure from experimental status to one of national acceptance is often controversial, with those members of the medical community who are using and promoting the procedure arguing that the procedure has national acceptance. In determining whether a procedure is investigational, CHAMPUS uses the following hierarchy of assessment sources: